

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE:

April 28, 2006

AGENDA DATE:

May 10, 2006

PROJECT ADDRESS: 49 and 51 Via Alicia (MST2002-00005)

TO:

Staff Hearing Officer

FROM:

Planning Division, (805) 564-5470

Jan Hubbell, AICP, Senior Planner

Brenda Beltz, Planning Technician RKB

I. PROJECT DESCRIPTION

The current proposal consists of a three (3) year time extension for parcel map amendments and residential development previously approved in Planning Commission Resolution 034-04. The prior approval granted on July 15, 2004, included: 1) amending the original two-lot subdivision parcel map that was approved in 1999 to revise building envelopes, geologic setbacks, and access easements; 2) removing a condition that limited the height of the development; and 3) allowing development in excess of 6,500 square feet and grading in excess of 500 cubic yards in compliance with the Neighborhood Preservation Ordinance.

The approved project involves the construction of two residential units on two adjacent parcels located in the Hillside Design District on lots of 43,576 square feet (49 Via Alicia) and 43,731 square feet (51 Via Alicia). The proposal includes demolishing the existing 3,410 square foot, single family residence and constructing a new 7,946 square foot, two-story residence at 49 Via Alicia. It also includes construction of a new 2,538 square foot, two-story residence at 51 Via Alicia. Each residence would have a three-car garage.

II. **DISCUSSION**

According to SBMC 27.07.110.A, B and D, Expiration and Extension of Tentative Maps, the approval or conditional approval of a tentative map shall expire twenty-four (24) months from the date the map was approved or conditionally approved. The subdivider may request an extension of the tentative map approval or condition of approval by written application to the Staff Hearing Officer filed with the Community Development Department before the expiration of the tentative map. The Staff Hearing Officer may impose new conditions or revise existing conditions. An extension or extensions of tentative map approval or conditional approval shall not exceed in aggregate three (3) years beyond the expiration of the original twenty-four (24) month period.

Since the July 15, 2004 approval of the Parcel Map Amendment, the property owner has retained a new architect and is in the process of redesigning the homes. The stated purpose of the time extension request is to provide time for the redesign and for completion of the approval process and issuance of Staff Hearing Officer Staff Report 49 and 51 Via Alicia (MST2002-00005) April 28, 2006 Page 2

building permits.

III. RECOMMENDATION/ FINDINGS

Staff recommends that the Staff Hearing Officer approve a three (3) year time extension, to July 15, 2009, for the Parcel Map Amendment, Amendment of the Planning Commission Resolution 025-99, and Neighborhood Preservation Ordinance Compliance.

Exhibits:

- A. Applicant's letter dated February 22, 2006
- B. Planning Commission Resolution 034-04
- C. Site Plan

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15 September 2003

City of Santa Barbara Planning Division Attn: Ms. Jan Hubbell 630 Garden Street P.O. Box 1990 Santa Barbara, CA 93102-1990

RE: Time Extension Request for 49 & 51 Via Alicia, Reso. # 034-04 (MST2002-00005)

Ms. Hubbell:

On behalf of our client Mr. Paul Kurth we are requesting a time extension of the Parcel Map Amendment granted by the Planning Commission on July 15, 2004. Circumstances occurring since the Planning Commission approval have resulted in the retention of a new architect in May of 2005 and have resulted in unavoidable delays.

Since the approval of the project, Mr. Kurth has diligently pursued building permits for the approved residences and obtained preliminary approval of the project on July 25, 2005.

The change of architectural firms has resulted in a revised site plan and changes to the design of the residences. Due to the changes, the project team is considering a slight lot line adjustment and a change to the access easement.

Our goal is to preserve the existing Planning Commission approval until such time as the proposed changes to the Parcel Map can be presented to the Staff Hearing Officer (SHO) for review and approval. We therefore request that the project be granted a two-year time extension to allow the redesign of the project to be completed and for the new changes to be reviewed and approved by the SHO.

Sincerely.

SUZANNE ELLEDGE

PLANNING & PERMITTING SERVICES, INC.

Isaac Romero Associate Planner RECEIVED

FEB 22 2006

CITY OF SANIA SANBAKA
PLANNING DIVISION

cc:

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CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 034-04 49 AND 51 VIA ALICIA

PARCEL MAP AMENDMENT, AMENDMENT OF PLANNING COMMISSION RESOLUTION 025-99, NEIGHBORHOOD PRESERVATION ORDINANCE COMPLIANCE.

JULY 15, 2004

APPLICATION OF SUZANNE ELLEDGE, AGENT, AND WILLIAM ARALUCE AIA, ARCHITECT, FOR KAREN AND PAUL KURTH, PROPERTY OWNERS, 49 & 51 VIA ALICIA, APNS 013-230-012 & 013-230-013, E-1/SINGLE FAMILY RESIDENTIAL, GENERAL PLAN DESIGNATION: RESIDENTIAL, 3 UNITS PER ACRE (MST2002-00005)

The project involves a proposal to construct two residential units on two adjacent parcels located in the Hillside Design District within the Eucalyptus Hill Neighborhood on lots of 43,576 square feet (49 Via Alicia) and 43,731 square feet (51 Via Alicia). The proposal includes demolishing the existing 3,410 square foot, single story residence and constructing a new 7,946 square foot two-story residence at 49 Via Alicia. On the vacant adjacent lot at 51 Via Alicia, the proposal is to build a 2,538 square foot, two-story residence. Each residence would have a three-car garage. Access to 49 Via Alicia would be via a new 16 foot wide driveway easement through 51 Via Alicia. Access to 51 Via Alicia would continue to be via the existing curb cut to the public road on Via Alicia. Cut and/or fill for both parcels (outside the main building footprint) exceed 500 cubic yards. Retaining walls of three to four feet in height are proposed to be constructed for the driveway improvements. The discretionary actions required for this project are:

- 1. <u>Parcel Map Amendment</u> to create new building envelopes, geologic setbacks, and access easements for the two subject parcels per SBMC §27.09;
- 2. <u>Amendment of the Planning Commission Resolution 025-99</u> to remove the conditions that limit development to one-story in height for both parcels; and
- 3. <u>Neighborhood Preservation Ordinance Compliance</u> to allow floor area of all existing and proposed structures to exceed a cumulative total of 6,500 square feet (49 Via Alicia) and grading that exceeds 500 cubic yards (51 Via Alicia) in the Hillside Design District (SBMC §22.68.070.2).

The Environmental Analyst has determined that the previous Mitigated Negative Declaration approved by the Planning Commission on May 18, 1999 (ENV97-0609) together with the Addendum dated May 12, 2004 are adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA. Prior to an action on the project, the Planning Commission must make findings pursuant to the California Environmental Quality Act Guidelines Sections 15074 and 15164.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

- 1. Staff Report with Attachments, June 3, 2004, and July 15, 2004.
- 2. Site Plan

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

- I. Approved the subject application making the following findings and determinations:
 - A. Environmental Findings
 - 1. The Planning Commission has considered the Addendum, dated May 2 2004, for the residential development proposed at 49 and 51 Via Alicia. (MST2002-00005), together with the Mitigated Negative Declaration (ENV97-06092002) for the original project, and public comments received.
 - 2. The Addendum to Mitigated Negative Declaration for MST2002-00005 has been prepared in compliance with California Environmental Quality Act requirements and is hereby adopted. The Addendum together with the adopted MND constitutes adequate environmental analysis of the current proposed project at 49 and 51 Via Alicia.
 - 3. Mitigation measures identified in the Mitigated Negative Declaration and Addendum, including the 50-foor setback on 51 Via Alicia and the building height limitation for both parcels, have been agreed to by the applicant and incorporated into the current project as conditions of approval and would avoid or reduce all potentially significant impacts to less than significant levels. In the Planning Commission's independent judgment and analysis based on the whole record, there is no substantial evidence that the proposed project at 49 and 51 Via Alicia will have a significant effect on the environment.
 - 4. The location and custodian of documents associated with the environmental review process and decision for the project at 49 and 51 Via Alicia (MST2002-00005) is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, CA 93102.
 - B. Neighborhood Preservation Ordinance Findings (SBMC §22.68.060)
 - 1. The public health, safety and welfare will be protected.
 - 2. The grading and development will be appropriate to the site, have been designed to avoid visible scarring and will not significantly modify the natural topography of the site or the natural appearance of any ridgeline or hillside.

The proposed grading is appropriate to the site and will allow the units to be built sufficiently into the hillside to be compatible with the neighborhood and prevent significant modification of the ridgeline.

- 3. The project will, to the maximum extent feasible, preserve and protect any native or mature trees with a minimum diameter of four inches (4") measured four feet (4') from the base of the trunk. Any specimen tree, skyline tree, or oak tree with a diameter of four inches (4") or more at four feet (4') above natural grade that must be removed will be replaced on a one-to-one basis, at a minimum. Designated Specimen, Historic and Landmark trees will not be removed.
- 4. The development will be consistent with the scenic character of the City and will enhance the appearance of the neighborhood.
 - The project design is in keeping with the acceptable architectural styles of the City and the neighborhood and will result in an overall enhancement for the neighborhood.
- 5. The development will be compatible with the neighborhood, and its size, bulk, and scale will be appropriate to the site and neighborhood.
 - The development is acceptable in term of its mass, bulk, and scale and neighborhood compatibility.
- 6. The development will preserve significant public scenic views of and from the hillside.
 - The development would not alter views from significant public scenic viewpoints or from the hillside.
- C. Amendment to the Parcel map (SBMC §27.09)

The tentative subdivision map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the density provisions of the Municipal Code and the General Plan, and the proposed use is consistent with the Land Use Element and zoning designation for the site, and the vision for this neighborhood in the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems or conflict with easements, acquired by the public at large, for access through or use of property within the proposed development.

- II. Said approval is subject to the following conditions:
 - A. Recorded Agreement. Prior to the issuance of any Public Works permit or building permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be recorded by the Owner with the Parcel Map on an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property" which shall be reviewed as to form and content by the City Attorney, Community Development Director and/or Public Works Director:

- 1. Uninterrupted Water Flow. The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
- 2. Recreational Vehicle Storage Limitation. No recreational vehicles, boats or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Architectural Board of Review (ABR).
- 3. Landscape Plan Compliance. The Owner shall comply with the Landscape Plan as approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
- 4. Water Rights Assignment. Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall assign to the City of Santa Barbara the exclusive right to extract water from under the Real Property. Said assignment and any related agreements are subject to the review and approval of the City Attorney and the City Public Works Director. Said agreement shall be recorded in the Office of the County Recorder.
- Development Rights Restrictions. All structures providing habitable 5. living area would be confined to building envelopes identified on the amended Parcel Map. Approved landscaping, retaining walls, swimming pool, and other non-habitable structures may be allowed within the development envelope on the western portion of 51 Via Alicia; accessory structures and sports courts shall be prohibited within the development envelope. The square footage of all structures at 49 Via Alicia shall be limited to the square footage shown on the approved plans. The overall size of the residence at 51 Via Alicia shall be limited to 3,750 square feet, including no more than 2,100 s.f. of habitable space on the upper level and no more than 900 s.f. of habitable space on the lower level, plus 750 s.f. of garage space. Future additions to 51 Via Alicia shall be limited in height to no more than that of the approved residence. The Owner shall not make any use of the restricted portion of the Real Property as designated on the approved Parcel Map in order that those portions of the Real Property remain in their natural state. These restrictions include, but are not limited to the right to develop the restricted portions with any grading, irrigation, buildings, structures or utility service lines. Illegally deposited fill may, however, be removed, subject to the approved grading

- plan for 51 Via Alicia (APN 013-230-013). The restricted areas shall be shown on the Parcel Map. The Owner shall continue to be responsible for (i) maintenance of the restricted area, and (ii) compliance with orders of the Fire Department. Any brush clearance shall be performed without the use of earth moving equipment.
- 6. **Slope Setback.** All future residential construction and grading must comply with the 50 foot slope setback as identified in the *Peer Review of Geologic & Soils Investigations at 49 & 51 Via Alicia* prepared by William Anikouchine, September 19, 2003. No structures, including, but not limited to patios, pools and similar structures, shall be constructed within 50 feet of the identified fault traces.
- 7. **Allowed Development.** The development of the Real Property approved by the Planning Commission on June 3, 2004 is limited to 7,946 square feet sq. ft. of building area, for 49 Via Alicia (APN 013-230-012) and limited to 2,538 sq. ft. of building area for 51 Via Alicia (APN 013-230-013) and the improvements shown on the Parcel Map, site, grading and landscaping plans, and elevations signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
- 8. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Driveway Area Maintenance.** An express method for the appropriate and regular maintenance of the common access way, and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the parcels.
 - b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
 - c. Landscape Maintenance. A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
 - d. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

- 9. **Lighting**. Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Lighting shall be directed toward the ground.
- 10. **Building Height Restriction.** The roof peak of all structures located at 49 Via Alicia (APN 013-230-012) shall not exceed a height of 19 feet 7 inches above existing (natural) grade; the roof peak for all structures located at 51 Via Alicia (APN 013-230-013) shall not exceed a height of 26 ½ feet above existing (natural) grade.
- 11. **Geologic Investigations.** The *Peer Review of Geologic & Soils Investigations at 49 & 51 Via Alicia* prepared by William Anikouchine, September 19, 2003, must be submitted to the Division of Building and Safety at time that any future residential construction on either of the two parcels is proposed. Future grading plans must comply, subject to the review of the Division of Building and Safety, with the recommendations of soils and geologic reports.
- 12. **Geotechnical Liability Limitation.** The Owner understands and is advised that the site may be subject to extraordinary hazards from landslides and erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.
- 13. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain drainage system, storm drain water interceptor and other storm water pollution control devices in accordance with the Operations and Maintenance Procedure Plan approved by the City Land Development Engineer.
- B. Parcel Map Submittal. The Owner shall submit to the Public Works Department, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance. A note shall be included on the parcel map that states that said map supersedes the parcel map for this property.
- C. **Design Review.** The following is subject to the review and approval of the Architectural Board of Review (ABR):
 - 1. **Appropriate Plants on Slope.** Special attention shall be paid to the appropriateness of the existing and proposed plant material, and to the

- sloped areas. All existing plants that add unnecessary weight to the slope (such as succulents, ivy and similar plants) and/or contribute to erosion shall be removed in a manner that does not disturb the root system and replaced with appropriate plant material in a manner that does not increase the rate of erosion.
- 2. **Landscape Screening.** Screening such as trees or landscaping with low water use plants and/or a solid screen wall or fence shall be considered by the ABR to provide a privacy buffer between 49 Via Alicia (APN 013-230-012) and the neighbors to the southern edge of said parcel.
- 3. Use of Native Trees. The applicant shall work with the ABR to provide oak or other native trees along the open space fringes, subject to consideration of High Fire Hazard Area requirements.
- 4. **Minimize Visual Effect of New Structures.** Colors, building massing, and materials shall blend with the land form.
- 5. All grading and retaining walls shall be kept to a minimum.
- 6. The grading, architecture and landscaping shall be intergrated to the site and land form.
- 7. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Lighting shall be directed toward the ground.
- 8. **Trash Enclosure Provision.** A trash enclosure with an area for recycling containers shall be provided on the Real Property and screened from view from surrounding properties and the street.
- D. Public Works Submittal Prior to Parcel Map Recordation. The Owner shall submit the following or evidence of completion of the following to the Public Works Department prior to the recordation of the Parcel Map for the project:
 - 1. Via Alicia Road Improvements. The Owner shall submit building plans for construction of improvements along the subject property road frontage on Via Alicia. As determined by the Public Works Department, the improvements shall include City standard sidewalk, driveway apron modified to meet Title 24 requirements, curbs, gutters, crack seal to the centerline of the street along property frontage, underground utilities, drainage system approved by Public Works, preserve and/or reset contractor stamp and/or survey monuments, directional/regulatory traffic control signs, storm drain stenciling, biofilter/swale, drought-tolerant parkway landscaping, street trees as approved by the City Arborist, and provide adequate positive drainage from site. Where tree roots are the cause of the damage, the roots are to be pruned under the direction of the City Arborist. The building plans shall be prepared by a registered civil engineer or licensed architect and reviewed by the City Engineer.

- 2. Other Improvement Plans. Improvements as shown on the building plans for construction of improvements on Via Alicia Road. As determined by the Public Works Department, the improvements shall include, but not be limited to, curbs, gutters, sidewalks, asphalt concrete pavement on aggregate base, underground utilities, street lights with underground wiring, appropriate directional and regulatory traffic control signs, sewer system, water system, and adequate positive drainage. The improvement plans shall be prepared by a registered Civil Engineer and reviewed by the City Engineer.
 - a. The proposed driveway will be constructed to the standards provided in the Subdivision Design and Improvement Standards and as approved by the Public Works Director.
- 3. An engineered drainage plan.
- 4. **Structural Engineer's Analysis.** A structural engineer's analysis of all proposed structures. All recommendations shall be incorporated into the plans.
- 5. **Agreement for Land Development Improvements.** An Executed Agreement for Land Development Improvements and improvement security for construction of improvements.
- 6. **Dedication(s).** Dedicate or offer to make a dedication for:
 - a. Easements for water, sewer, and other utilities.
 - b. Easements, described as follows, subject to approval by the Public Works Department and/or the Building & Safety Division shall be recorded on the Parcel Map:
 - An 18-foot easement for storm drainage purposes for 49 Via Alicia (APN 013-230-012) through 51 Via Alicia (APN 013-230-013).
- 7. **Reciprocal Access Agreement.** An adequate reciprocal access easement (16 feet in width) which has been recorded and which provides ingress and egress for vehicles/pedestrians through 51 Via Alicia (APN 013-230-013) for the benefit of 49 Via Alicia (APN 013-230-012) and 51 Via Alicia.
- 8. **Encroachment Permits.** Secure an Encroachment Permit form the City for the masonry wall encroachment within the public right—of—way. Such permits shall be submitted to the Public Works Department.
- 9. **Storm Drain Operation and Maintenance Plan Required.** The Owner shall provide an Operations and Maintenance Procedure Plan (describing replacement schedules for pollution absorbing filters, etc.) for the

- operation and use of the storm drain surface pollutant interceptor. The Plan shall be reviewed and approved by the Land Development Engineer.
- 10. **Hydrology Calculations.** Submit to the Land Development Engineer hydrology calculations justifying that the onsite proposed and existing drainage conveyance systems are adequate. Include an analysis of the 25-year storm event. All drainage conveyance systems shall be designed to convey the 25-year storm event. If additional drainage conveyance structures are needed based on results of the hydrology calculations, the improvements shall be constructed prior to Certificate of Occupancy, and prior to recordation of the Final Map at the sole expense of the Owner.
- 11. **Storm Water Quality Control**. The Owner shall apply storm water quality control guidelines to the project per the Public Works Department Construction Project Best Management Practices.
- E. **Building Permit Plan Requirements.** The following requirements shall be incorporated into the construction plans submitted to the Building & Safety Division with applications for building permits. All of these construction requirements shall be carried out in the field and completed prior to the issuance of a Certificate of Occupancy:
 - 1. Contractor and Subcontractor Notification. All contractors and subcontractors shall be notified in writing of site rules, restrictions and Conditions of Approval.
 - Unanticipated Archaeological Resources Contractor Notification. 2. Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A

Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

- 3. **Curb Cut Replacement.** The existing curb cut shall be removed and replaced with curb and gutter, sidewalk and/or parkway.
- 4. An engineered drainage and grading plan.
- 5. **Geology Report.** The grading and building plans shall be prepared by a licensed civil engineer and shall be reviewed and accepted by the engineering geologist(s) and the soils engineer(s) prior to the issuance of grading and building permits for construction of any future structures on either of the two parcels. All recommendations of the report shall be incorporated into the construction plans.
- 6. **Utilities in Fault Zone Setback.** All future pipe material within or located 50 feet from any earthquake fault zone as identified in the <u>Peer Review of Geologic & Soils Investigations at 49 & 51 Via Alicia</u> prepared by William Anikouchine September 19, 2003, must be carefully considered per the recommendation of the geology report.
- 7. **Drainage.** The drainage for any proposed residential unit must fully handle combined roof, pad and driveway runoff, preferably along paved roads. To the extent feasible, drainage should be directed away from the western edge of the property.
- 8. **Structural Engineers Report.** A report prepared by a structural engineer on all proposed structures, as required by the Building Official for 49 Via Alicia (APN 013-230-012) and 51 Via Alicia (APN 013-230-013).
- 9. **High Fire Hazard Construction.** High fire hazard construction requirements shall be met.
- 10. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out and containers shall be provided on site for that purpose in order to minimize construction-generated waste conveyed to the landfill.

- 11. **Utilities.** Provide individual water, electricity, gas meter, and building sewer for each residential unit. Service lines for each unit shall be separate until a point five (5) feet outside the building. Utilities from one unit may not pass through another unit pursuant to Santa Barbara Municipal Code Section 27.13.060.
- 12. **Water-Conserving Fixtures.** All plumbing fixtures shall be water-conserving devices in new construction, pursuant to Santa Barbara Municipal Code Section 14.20.020, Water Saving Devices, subject to the approval of the Water Resources Management Staff.
- 13. **Drainage Control.** Any sheet flow runoff from the driveway/parking areas shall be directed through an adequately sized bio-filter (vegetated filter strips, grassy swale) or other filtration-oriented Best Management Practice (BMP) prior to its discharge into the storm drain.
- 14. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic on adjacent streets and roadways.
- 15. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 8:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara as shown below:

January 1st* New Year's Day 3rd Monday in January Martin Luther King's Birthday 3rd Monday in February Presidents' Day Last Monday in May Memorial Day July 4th* Independence Day 1st Monday in September Labor Day 4th Thursday in November Thanksgiving Day Friday after Thanksgiving Day Following Thanksgiving Day December 25th* Christmas Day

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

- 16. **Construction Parking/Storage.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Streets, Parking, and Transportation Operations Manager.

- b. On-site or off-site storage shall be provided for construction materials and equipment.
- c. Storage of construction materials within the public right-of-way is prohibited.
- d. (Free) off-site parking for construction workers and off-site storage for materials and equipment shall be provided (during phases of the construction when it cannot be accommodated onsite). The location of this off-site area shall be subject to the approval of the Community Development Director.
- 17. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin.
- 18. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- 19. **Construction Contact Sign.** Immediately after building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number, work hours and site rules to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.
- 20. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
- 21. **Erosion Control Plan/Water Quality.** A detailed grading and erosion-control plan shall be submitted for review and approval prior to issuance of grading permit. The plan shall be coordinated with drainage and landscaping plans, and shall incorporate the following measures:
 - a. Grading shall incorporate any applicable measures recommended in soils and geology reports. Detailed plans and a geologic report shall be submitted for any permanent erosion-control structures.
 - b. Grading shall be designed to minimize erosion and control drainage.
 - c. Graded areas shall be revegetated within four weeks of grading activities with deep-rooted, native, drought-tolerant species to minimize slope failure and erosion. Planted areas shall be irrigated if necessary, and maintained to ensure that plants are established.
 - d. After clearing, grading, earth moving and/or excavation is completed and prior to revegetation, the entire area of disturbed

soil shall be treated to prevent wind pickup of soil. This may be accomplished by:

- (1) Seeding and watering until grass cover is grown;
- (2) Spreading soil binders;
- (3) Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind, or
- (4) Other methods approved in advance by the Air Pollution Control District.
- e. Install silt fence, sand bag, hay bale or silt devices where necessary around the project site to prevent offsite transport of sediment.
- f. Excavation and grading shall be limited to the dry season of the year (i.e., April 15-November 1) unless otherwise approved by the Building Division based on identified erosion-control measures.
- g. Permanent and temporary erosion control plans shall be prepared by a licensed civil engineer and submitted to the City Building & Safety Division of review and approval.
- h. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
- i. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
- 22. Conditions on Plans/Signatures. All Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their

Signed:

usual and customary responsibility to perform, and which are within their authority to perform.

Property Owner		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

- F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
 - 1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified Arborist.
 - 2. **Complete Public Improvements.** Public improvements as shown in the improvement/building plans.
 - 3. **Utilities Undergrounded.** Place utilities underground from the transmission source and within the Real Property.
 - 4. **Cross-Connection Inspection Required.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist.

NOTICE OF PARCEL MAP TIME LIMITS:

The Planning Commission's action approving the Parcel Map shall expire two (2) years from the date of approval, per SBMC Section 28.07.110.a & .b, unless the subdivider requests an extension of time, not to exceed two (2) years beyond the expiration of the original two (2) years expiration date or per the allowances provided in the Subdivision Map Act.

This motion was passed and adopted on the 15th day of July, 2004 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 1 (Maguire) ABSTAIN: 0 ABSENT: 1 (Jostes)

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.

Susan Gantz, Planning Commission Secretary	Date	

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

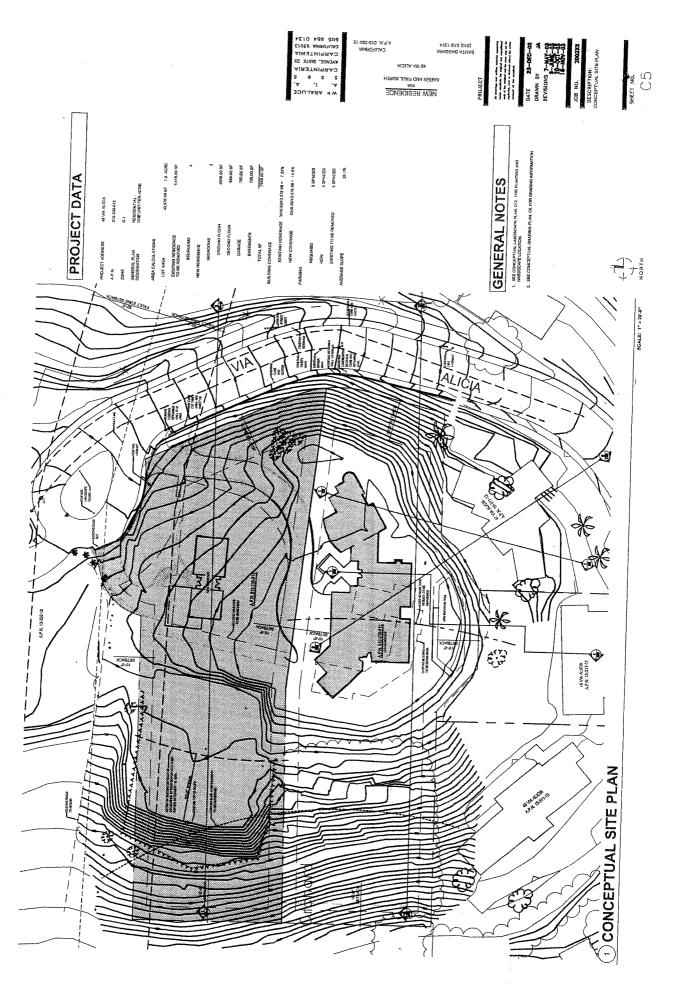


EXHIBIT C